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on 03-08-06

Marianne Boland
Marianne Boland

In Re Application of:

James

Serial No.: 10/735,124

Filed: December 12, 2003

Confirmation No.: 1920

Group Art Unit: 2863

Examiner: Pretlow, Demetrius R.

Docket No.: 190250-1800

For: Remote Generator Fuel Monitoring System

The following is a list of documents enclosed:

- Return Postcard
- Response to Notice of Allowance
- 2 Pages of Corrected Drawings (Figs. 1 and 2)
- Auto-Reply Facsimile Transmission
- Certificate of Facsimile Transmission
- Issue Fee Transmittal
- Comments on Statement of Reasons for Allowance

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

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4 (including cover page)

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Cover
Page

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03/08/2006	10:47	7709510933	THOMAS, KAYDEN	PAGE 01
CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR §1.8				
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted on the date indicated below via facsimile to the United States Patent and Trademark Office, facsimile number (571) 273-8300.				
Date:	03-08-06	<u>Marianne Boland</u> Marianne Boland		
In Re Application of:		Confirmation No.: 1920		
James		Group Art Unit: 2863		
Serial No.:	10/735,124	Examiner: Pretlow, Demetrius R.		
Filed:	December 12, 2003	Docket No. 190250-1800		
For:	REMOTE GENERATOR FUEL MONITORING SYSTEM			
Issue Fee Transmittal Comments on Statement of Reasons For Allowance Charge Deposit Account No. 20-0778 in the amount of \$1,700 (\$1,400 Issue fee and \$300 Publication fee)				
Total Pages Transmitted (including cover sheet) - 4				
PAGE 1/4 * RCVD AT 3/8/2006 9:42:43 AM [Eastern Standard Time] * SVR:USPTO-EFAXF-6135 * CNR:2738300 * CSID:7709510933 * DURATION (mm:ss):02:00				

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Date: 03-08-06

Marianne Boland
Marianne Boland

In Re Application of:

James

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Issue Fee Transmittal
Comments on Statement of Reasons For Allowance
Charge Deposit Account No. 20-0778 in the amount of
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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Statement of Reasons for Allowance includes some statements that may be viewed as an oversimplification of the examination issues, and if taken out of context, could give rise to an improper interpretation of the claims as well as the file history. For these reasons, Applicant provides the following comments.

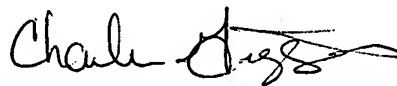
First, Applicant asserts that there are multiple grounds supporting allowance of the presently pending claims, including grounds in addition to those stated in the Statement of Reasons for Allowance. Accordingly, it should not be assumed that Applicant agrees with the accuracy of the characterizations of the cited references and the claim elements in the Statement of Reasons for Allowance.

Second, in accordance with 35 U.S.C. Section 282: "Each claim of a patent (whether in independent, dependent, or multiple dependent form) shall be presumed valid independently of the validity of other claims; dependent or multiple dependent claims shall be presumed valid even though dependent upon an invalid claim." Thus, any dependent claims that are not addressed by the Statement of Reasons for Allowance should not rise or fall, when construed in

terms of validity, with their respective independent claims, but instead should be construed independently of their respective independent claims.

Third, the scope and validity of each claim (whether in independent, dependent, or multiple dependent form) should be determined based upon the entire combination of elements/features/steps in each claim, as opposed to only the particular feature or features pointed out by the Statement of Reasons for Allowance.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Charles W. Griggers".

Charles W. Griggers, Reg. No. 47,283
Attorney for Applicant

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